

**NOTICE AND AGENDA - AMENDED
TOWN COUNCIL
Regular Meeting**

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, September 16th 2020**, commencing at **6:00 PM** or shortly thereafter at 1777 N Meadowlark Dr, Apple Valley.

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting <https://us02web.zoom.us/j/88621224111>

To call into meeting, dial (253) 215 8782 and use Meeting ID 886 2122 4111

The Agenda for the meeting is as follows:

Call to Order / Pledge of Allegiance / Roll Call

Declaration of Conflicts of Interest

Mayor's Town Update

CONSENT AGENDA

The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Council Member wishes to remove an item from the Consent Portion of the agenda, that item becomes the first order of business on the Regular Agenda.

- A. Approval of minutes for June 17, 2020
- B. Approval of July 2020 Expenditure Report
- C. Approval of July 2020 Monthly Operational Budget Update

DISCUSSION AND ACTION

1. Interview Candidates for Town Council seat vacancy
2. Vote on Town Council seat vacancy (multi step process if more than 2 candidates) Resolution R-2020-09
3. Appointment of Mayor Pro tem. Resolution R-2020-10
4. General Plan Map change of parcels AV-1376-A and AV-1376-M from R-1 to Agricultural. Applicant Jeff and Susanne Spendlove. PC Recommended 4-0.
5. Zone change for parcels AV-1376-A and AV-1376-M from OST/OSC to A-10 and RE-1. Applicant Jeff and Susanne Spendlove. PC Recommended 4-0.
6. Zone change of parcel AV-1354-B from OST/OSC to C-2 Commercial and CTP Cabins Tiny Home Park Zone. Applicant Bang Properties. PC Recommended 4-0
7. Discussion and possible action on refund of lot line adjustments
8. Amending the Town Fee Schedule. Resolution R-2020-011.
9. Adoption of O-2020-12 (correcting prior motion when adopted)
10. Changes to 11.02.040 Necessity of Plat; Exemption from Plat Requirements Ordinance O-2020-20
11. Approval of Ross Gregerson as Big Plains Treasurer
12. Appointment of Big Plains Town Council Board Member
13. Big Plains Water and Sewer Capital Improvement Study and Zions Public Finance Water Impact Fee study. BP Board passed 4-0.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee

Planning Commission – Janet Prentice/Michael McLaughlin

Fire Department – Chief Dave Zolg, Jr

Big Plains Water and Sewer SSD

Code Enforcement

Roads and Storm Drainage

Mosquito Abatement

Lot Split Applications Received for AV-1334-J, AV-1366-A-6, AV-1366-A-5, AV-1369-B, AV-1369-C

Building Permits – August 2020 – 5 homes, 1 Casita, 1 Accessory Building

Council

PUBLIC COMMENTS

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

CERTIFICATE OF POSTING: I, Ben Billingsley, hereby certify that this notice was posted on the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the **14th day of September, 2020.**

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

OPENING

Mayor Lisonbee brought the meeting to order at 6:00 p.m. welcoming all in attendance and leading in the Pledge of Allegiance.

PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Denny Bass
Councilmember Paul Edwardson

ABSENT

Councilmember Michael McLaughlin

OTHERS PRESENT

Deputy Clerk Ben Billingsley

Declaration of Conflicts of Interest

None Declared

CONSENT AGENDA

A. Approval of Minutes for April 15, 2020

MOTION:	Council Member Kopp moves to approve the consent calendar minutes for April 15 th , 2020	
SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardson	Aye
	Mayor Lisonbee	Aye
	Councilmember McLaughlin	Absent

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION

- 1. Discussion and possible action on Fiscal Year 2020-2021 Annual Budget. Resolution R-2020-06.**

MOTION: Mayor Lisonbee moves to table this item for a future meeting.
SECOND: Councilmember Edwardsen
VOTE: Councilmember Kopp Aye
Councilmember Bass Aye
Councilmember Edwardsen Aye
Mayor Lisonbee Aye
Councilmember McLaughlin Absent

The vote was unanimous and the motion carried.

3. Discussion and Possible Action on Amendment to the Apple Valley General Plan Map (Tourist Commercial). Ordinance O-2020-09. Planning Commission Recommended 5/0.

Mayor mentions this was recommended by PC in a previous meeting. When it previously came to the town council we didn't have the ordinance ready.

MOTION: Councilmember Kopp moves to adopt Ordinance O-2020-09 an ordinance changing the general plan map designation for Highway 59.
SECOND: Councilmember Bass
VOTE: Councilmember Kopp Aye
Councilmember Bass Aye
Councilmember Edwardsen Aye
Mayor Lisonbee Aye
Councilmember McLaughlin Absent

The vote was unanimous and the motion carried.

4. Report on the June 8, 2020 Fire. Chief Zolg

Fire Chief reports that the department responded with an initial attack on June 8th to a fire. After the initial attack it was delegated to the BLM. There were a couple drops from single engine planes. Six departments responded, about 50 firefighters in total, 7 from AVFD. After evacuations Chief did a 360 and noticed the fire had spread to a structure. Once this structure fire was taken care of, the AV and Hurricane engines moved further up the wash area to make sure some hidden structures were evacuated. 5 structures threatened, 2 or 3 damaged. One death is still under investigation appears to not be fire related. The cost of the fire will be \$80-100k. As a result of the CWPP and ongoing state interaction this cost will be covered by the state. Had the Department not handled the situation the way they did they would have been stuck with a portion of the bill. It consumed 50 acres in total. We are in the process of billing for the fire.

Three days later the Paradise Fire started, which was a 40' swath of area. They had a great response and got it under control. There was one injury for smoke inhalation.

He believes both fires were human caused.

5. Discussion and possible action on zone change of parcel AV-1364-A OST/OSC Opens Space to AG-5 Agricultural 5 acre. Applicant Nuance Management, LLC. PC recommended approval 5/0 conditional on zoning code adjustment only allowing pigs on properties not adjacent to a residential zone. Ordinance O-2020-10.

Mr. Barlow feels that the land use maps consider this property AG and the zoning is OST. Raising pigs is a non-issue for him as there is no intent to raise pigs on this parcel of land. There was no opposition from property owners near this parcel. There is going to be some sort of zoning transition somewhere, and throughout Town there are many locations where AG is adjacent to Rural Estates. He intends to make the top half of the property into two 10 acre properties that will be light residential where homes will be built, any agricultural use will be on the southern end of the parcels.

Councilmember Bass asks what he plans to do with the acreage and asks if they're going to raise pigs. Mr. Barlow states they will not be raising pigs, they are planning to clear the land to raise a few other animals, but mostly to have greenhouses.

Deputy Recorder Billingsley clarifies that wiener pigs are a permitted use but later in the code it is outlined that they are allowed by conditional use permit only. So planning commission made a recommendation that this change would be conditional on clarifying that wiener pigs cannot be raised on any parcel adjacent to a residential parcel.

Mayor Lisonbee states that one possible way to address this is to put a 1300' buffer area for residential areas as a condition. Perhaps they need to go in and make these changes to the code.

Mayor Lisonbee believes an attorney would want more clarity on this as the town is moving away from conditional uses.

Deputy Clerk Billingsley mentions that this land is currently identified as AG on the general map.

Jason Graham mentioned that he is significantly closer to the highway and is zoned AG. He feels like it would be inconsistent with the process to have an issue with this zone change seems it is farther from the highway and already planned as AG. The issue everyone has with wiener pigs is the smell. He is sure that there are ordinances on the books about smell. He said the smell issue can be addressed separately from the pigs.

Mayor Lisonbee states that what Jason sees as offensive may not be offensive to someone else.

Councilmember Bass is concerned that AG is to broad spectrum.

Mary Cannady – has 50 acres across from Anthus’ property, and she does not object to the zone change. They have a reasonable expectation their change will be okay based on what she has heard. She feels comfortable with their intentions for the land.

MOTION: Councilmember Edwardsen moves to pass Ordinance O-2020-10 and ordinance changing the zoning classification for AV-1364-A from open space OST/OSC to Agricultural 5, AG5.

Without a second, Mayor Lisonbee asks Councilmember Bass and Councilmember Kopp what their objections are to the change. He asks how we turn it down with it being in line with the General Plan. They discuss the buildings and why RE 5 wasn’t applied for. It is brought up that going RE would require a General Plan designation change as well. The property was purchased after due diligence was completed knowing it was on the General plan as AG. There are neighbors in attendance in support of this change, as well as others who council members have talked with that are in support of the change. The deed for the property indicates he can’t clear the trees on the edge of the property so you probably won’t be able to see much back there anyway. Shipping container rules for the property are discussed briefly. Mayor Lisonbee asks if the council would like to force Mr. Barlow to change the general map and force him into an RE zone and what this might do to the town legally. The property is large enough that most likely nobody will even be able to see most of what happens on this parcel.

Mr. Barlow adds that this property will be comparable to the nearby Graham property.

At this point the motion moves forward with a second.

SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Mayor Lisonbee	Aye
	Councilmember McLaughlin	Absent

The vote was unanimous and the motion carried.

6. Discussion and possible action on zone change of parcel AV-1377-F-1 from PD Planned Development to RE-1 Rural Estates 1 acre. Applicant Morrel Utah Holdings. PC recommended 5/0. Ordinance O-2020-11

Mayor Lisonbee reminds that this property was zoned PD many years ago.

Adam Morrell states this is the remainder of an old subdivision that they would like to build a house on.

MOTION: Councilmember Kopp moves to approve the parcel change to AV-1377-F-1 from PD to RE1 Rural Estates 1 acre.
SECOND: Councilmember Bass
VOTE: Councilmember Kopp Aye
Councilmember Bass Aye
Councilmember Edwardsen Aye
Mayor Lisonbee Aye
Councilmember McLaughlin Absent

The vote was unanimous and the motion carried.

7. Discussion and possible action on amendment to 10.14 Short Term Vacation Rental PC Recommended 5/0. Ordinance O-2020-16

Mayor Lisonbee introduces the item. This is a small change that has to do with state law which precludes the Town from limiting the advertisement. As such, we're striking it from the code.

Councilmember Edwardsen clarifies that this is the only change, Mayor Lisonbee confirms.

MOTION: Councilmember Edwardsen moves to approve O-2020-16
SECOND: Councilmember Bass
VOTE: Councilmember Kopp Aye
Councilmember Bass Aye
Councilmember Edwardsen Aye
Mayor Lisonbee Aye
Councilmember McLaughlin Absent

The vote was unanimous and the motion carried.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Fire Department- Chief Zolg-

Big Plains Water and Sewer SSD-Denny Bass- The state sent the approval letter to use the left over money to rehabilitate the wells.

Code Enforcement –Rich Ososki/Paul Edwardsen- Mr. Ososki reports that he worked through some issues with the Sheriff's office as a result of the MOU. He states the Sheriff would like the residents to call if there is an issue and they will send a deputy out.

He does respect the night sky, and says there is a problem with lights in bubbling wells.

He wants to make sure the new AG properties aren't lit up. Smell – he reports that there was an issue with horses that were moved next to the neighbor's garden. In this case the

neighbor just moved the horses to the other side of the property and everyone was satisfied. Report on weeds.

Mosquito Abatement- Margaret Ososki – It is mosquito season, so be aware of standing water. There is a problem in town with standing water.

MAYORS TOWN UPDATE

Mayor states that in the last meeting they passed an OHV ordinance that included a flag requirement. He forgot to talk about flags prior to approval. He wants to discuss if it is an overreach for flags. He feels running stop signs, vehicle registration, and helmets are major issues, but not the flags.

Rich Ososki – he spoke extensively with the lieutenant about ATVs. He said it is not his job to go chase down ATV's that don't have flags. Flags are not usually used when you are driving on roads. He passes along that residents need to call ATVs in with the time and description of the offender. His job is just to inform people that there is an ATV code.

Councilmember Bass feels like it is a safety issue. He almost hit someone this morning that didn't have a flag. He feels this would have been prevented if there was a flag on the ATV.

MAYOR LISONBEE OPENS PUBLIC COMMENTS

Joan Dinneen states that she requested to be on the meeting agenda to request the removal of the Board Member Jorgensen. She asks to refer to the meeting packet on January 2, 2019, resolution 2011-025. She states the Town Council has the authority through 2019-01 to remove Mr. Jorgensen from the SSD Board, because clearly only the Council and the Mayor have this authority. She feels his behavior has not been addressed by the Council or Mayor. She also asks that the Town Council and Mayor ban Mr. Jorgensen from attending any and all future public meetings.

Margaret Ososki has a story about pigs; In North Las Vegas there was a pig farm, and the town grew up around the pig farm. The smell was pretty bad, so the county moved the farm further from town.

Marcia Miner would like to thank the Town for the storm water drainage project near her home. El Cap has done a wonderful job with the repairs and stabilization of the property. These damages had previously prevented them from being able to get a loan on the property.

Margaret Ososki – poses the question why the property owner has to take care of the ditches since it's not in their property.

Mayor Lisonbee responds that it's like the edge between the sidewalk and the street in larger cities where there is grass, even though they don't own it they are supposed to take care of it.

Rich Ososki states that he would rather spend money on roads than ditches.

MAYOR CLOSSES PUBLIC COMMENTS

REQUEST FOR A CLOSED SESSION- no closed session needed.

ADJOURNMENT

MOTION:	Councilmember Kopp moves to adjourn tonight’s town council meeting	
SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Mayor Lisonbee	Aye
	Councilmember McLaughlin	Aye

The vote was unanimous and the motion carried.

Date approved: _____

Marty Lisonbee, Mayor

ATTEST BY: _____

**Town of Apple Valley
Check Register
Checking - SBSU - 07/01/2020 to 07/31/2020**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
Big Plains Water and Sewer SSD	4568	063020	06/30/2020	07/15/2020	18,860.42	Water Sales Receipts	102340 - Due To/Big Plains Water P
Sunrise Engineering	4546	0110010	06/30/2020	07/06/2020	4,657.00	Storm Water Master Plan/IFFP	104141.320 - Admin Engineering/Pr
Washington County Solid Waste	4566	91196	06/30/2020	07/15/2020	3,579.15	Solid Waste	104420.460 - Solid Waste Service
Big Plains Water and Sewer SSD	4568	063020	06/30/2020	07/15/2020	2,638.66	Water Standby Receipts	102340 - Due To/Big Plains Water P
Hoff's Plumbing	CC	524	07/29/2020	07/29/2020	1,912.40	Park Bathroom Plumbing	104540.740 - Parks Capital outlay
Sunrise Engineering	4546	0110010	06/30/2020	07/06/2020	1,602.00	Roads Master Plan IFFP	104141.320 - Admin Engineering/Pr
Big Plains Water and Sewer SSD	4568	063020	06/30/2020	07/15/2020	1,133.19	Bulk Meters	102340 - Due To/Big Plains Water P
Washington County Noxious Weed	4559	214	07/06/2020	07/13/2020	1,063.00	Thistle abatement	104141.500 - Admin Weed abateme
Ford Motor Credit Company	07062010	27 - 2017 F550 V	07/06/2020	07/06/2020	948.45	Principal - 2017 F550 Vehicle Lease	104220.620 - Fire Principal
Sunrise Engineering	4546	0110010	06/30/2020	07/06/2020	918.00	Parks IFFP	104141.320 - Admin Engineering/Pr
Home Depot	CC	071320	07/13/2020	07/13/2020	789.93	Doors for Park Bathrooms	104540.740 - Parks Capital outlay
Zions Bank	07272012	13 - 2008 Dump	07/27/2020	07/27/2020	770.11	Principal - 2008 Dump Truck	104410.810 - Road Principal
RDB Law, PC	4551	39	06/30/2020	07/13/2020	660.00	Prosecutor	104141.330 - Admin Legal Wages a
Backyard Services	4563	8328	06/30/2020	07/15/2020	580.00	June20 Lawn Service	104540.110 - Park/Rec Wages and
South Central Communications	4553	07012020	07/01/2020	07/13/2020	391.89	Phone and Internet	104141.280 - Admin Telephone and
Durham Jones & Pinegar	4548	729239	06/30/2020	07/13/2020	378.00	Bubbling Well Gates	104141.330 - Admin Legal Wages a
Zion's Tiny Getaway	4561	Refund: 1413	07/14/2020	07/14/2020	300.00	Refund: 1413 - Zion's Tiny Getaway	101311 - Accounts receivable
Revco Leasing	4564	572073	07/07/2020	07/15/2020	230.69	Printer Monthly Lease	104141.250 - Admin Equipment mai
Backyard Services	4563	8328	06/30/2020	07/15/2020	216.00	Irrigation system repairs	104540.110 - Park/Rec Wages and
AT&T	4562	070420	07/04/2020	07/15/2020	210.68	Cell Phones	104141.280 - Admin Telephone and
XPress Bill Pay	ACH	49664	07/01/2020	07/01/2020	201.07	Xpress Monthly Support	104141.250 - Admin Equipment mai
Backyard Services	4563	8328	06/30/2020	07/15/2020	200.00	Sprinkler system parts at park	104540.250 - Park/Rec Department
Blankenagel, William & Sheena	4547	RFD 930.070820	07/08/2020	07/13/2020	200.00	Deposit Refund: 930 - Blankenagel, William &	102330 - Customer security deposit
Rocky Mountain Power	ACH	072720	07/27/2020	07/27/2020	176.84	Monthly Power	104141.270 - Admin Utilities
Ford Motor Credit Company	07062010	27 - 2017 F550 V	07/06/2020	07/06/2020	173.70	Interest - 2017 F550 Vehicle Lease	104220.610 - Fire Interest
Kopp, Debbie	4549	063020	06/30/2020	07/13/2020	167.04	Treasurer mileage reimbursement	104111.210 - Council Travel Reimbu
Department of Workforce Services	ACH	063020	06/30/2020	07/07/2020	148.62	2020 Q1 Unemployment	104141.130 - Admin Employee bene
Supreme Green	4556	49880	06/22/2020	07/13/2020	125.00	Fertilizer - Park	104415.450 - Public Works Supplies
Vista Print	CC	072320	07/23/2020	07/23/2020	116.28	Print services	104141.240 - Admin Office supplies
Zions Bank	07272012	13 - 2008 Dump	07/27/2020	07/27/2020	110.26	Interest - 2008 Dump Truck	104410.820 - Road Interest
Singh, Vicky	4552	RFD 1327.07082	07/08/2020	07/13/2020	100.00	Deposit Refund: 1327 - Singh, Vicky	102330 - Customer security deposit
Utah Municipal Clerks Association	4558	070120	07/01/2020	07/13/2020	100.00	FY20 Annual UMCA Dues	104141.210 - Admin Dues, subs &
UZONA Chamber of Commerce	CC	073020	07/30/2020	07/30/2020	100.00	UZONA Chamber	104141.210 - Admin Dues, subs &
State of Utah-Dept of Commerce	4555	063020	06/30/2020	07/13/2020	96.85	2020 Q1 Permit Surcharge	102141 - UT State Construction Sur
Republic Services	ACH	073120	07/31/2020	07/31/2020	95.81	Park Portable Toilet	104415.450 - Public Works Supplies
Little Creek Station	4550	063020	06/30/2020	07/13/2020	94.62	Dump Fuel	104410.560 - Road Equipment Fuel
Little Creek Station	4550	063020	06/30/2020	07/13/2020	85.46	Fire Fuel	104220.560 - Fire Equipment Fuel
Supreme Green	4556	49880	06/22/2020	07/13/2020	75.00	Fertilizer - Gateway	104540.250 - Park/Rec Department
Star Sign	4554	136193	06/25/2020	07/13/2020	67.25	No Parking Sign	104410.450 - Road Department Sup
Zoom Video Communications Inc.	CC	072020	07/20/2020	07/20/2020	58.54	Electronic Meetings	104141.240 - Admin Office supplies
Little Creek Station	4550	063020	06/30/2020	07/13/2020	41.29	Backhoe DEF	104410.550 - Road Equipment Main
Amazon.com	CC	071320	07/13/2020	07/13/2020	40.87	Pens, laminator	104141.240 - Admin Office supplies
Utah Local Governments Trust	4565	1584758	06/30/2020	07/15/2020	33.64	Add'l insurance post site visit	104141.410 - Admin Insurance
Little Creek Station	4550	063020	06/30/2020	07/13/2020	32.71	Training Drinks/Treats	104220.450 - Fire Small Equip/Supp
The Spectrum	4557	3384475	06/30/2020	07/13/2020	31.23	June Notices	104141.220 - Admin Public notices
Department of Workforce Services	ACH	063020	06/30/2020	07/07/2020	28.25	2020 Q1 Unemployment	104220.130 - Fire Employee Benefit
Amazon.com	CC	072220	07/22/2020	07/22/2020	26.52	HDMI Cable and Binders	104141.240 - Admin Office supplies
Department of Workforce Services	ACH	063020	06/30/2020	07/07/2020	8.55	2020 Q1 Unemployment	104111.130 - Council Employee ben

**Town of Apple Valley
Check Register
Checking - SBSU - 07/01/2020 to 07/31/2020**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>
Ooma	CC	073020	07/30/2020	07/30/2020	7.24	Ooma	104141.280 - Admin Telephone and
Department of Workforce Services	ACH	063020	06/30/2020	07/07/2020	1.08	2020 Q1 Unemployment	104415.130 - Public Works Employe
State of Utah	CC	073020	07/30/2020	07/30/2020	1.00	ZTG Research	104210.250 - Police Expenditures
State of Utah-Dept of Commerce	4555	063020	06/30/2020	07/13/2020	-14.53	2020 Q1 Permit Surcharge	103221 - Building Permits-Fee
					\$44,569.76		

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2020 to 07/31/2020
8.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 General property taxes-current	0.00	0.00	0.00	104,098.00	0.00%
3120 Prior year's taxes-delinquent	0.00	320.79	320.79	8,000.00	4.01%
3130 General sales and use taxes	0.00	10,004.46	10,004.46	85,000.00	11.77%
3140 Energy and communication taxes	1,818.05	2,482.69	2,482.69	34,200.00	7.26%
3150 RAP Tax	0.00	0.00	0.00	9,000.00	0.00%
3160 Transient Taxes	0.00	299.75	299.75	1,500.00	19.98%
3170 Fee in lieu of personal property taxes	0.00	865.80	865.80	8,500.00	10.19%
3190 Highway/Transit Tax	0.00	938.50	938.50	9,600.00	9.78%
Total Taxes	1,818.05	14,911.99	14,911.99	259,898.00	5.74%
Licenses and permits					
3210 Business licenses	0.00	0.00	0.00	3,400.00	0.00%
3221 Building Permits-Fee	2,385.17	0.00	0.00	15,091.00	0.00%
3222 Building Permits-Non Surcharge	301.52	0.00	0.00	2,264.00	0.00%
3223 Building permit - HCP Valuation	(1,169.41)	0.00	0.00	0.00	0.00%
3224 Building Permits Surcharge	20.10	0.00	0.00	0.00	0.00%
3225 Animal licenses	0.00	0.00	0.00	700.00	0.00%
Total Licenses and permits	1,537.38	0.00	0.00	21,455.00	0.00%
Intergovernmental revenue					
3342 Fire Dept-State Wildland Grant	0.00	0.00	0.00	10,000.00	0.00%
3356 Class "C" road allotment	0.00	0.00	0.00	72,000.00	0.00%
3358 Liquor control profits	0.00	0.00	0.00	800.00	0.00%
3370 State Grants	0.00	3,588.50	3,588.50	45,000.00	7.97%
Total Intergovernmental revenue	0.00	3,588.50	3,588.50	127,800.00	2.81%
Charges for services					
3415 SSD Payroll Services	0.00	0.00	0.00	30,000.00	0.00%
3420 Fire Department Contracts	0.00	3,769.50	3,769.50	0.00	0.00%
3431 Zoning and subdivision fees	16,814.50	2,687.50	2,687.50	15,000.00	17.92%
3440 Solid waste	3,700.00	3,775.00	3,775.00	48,750.00	7.74%
3441 Storm Drainage	3,241.93	3,590.98	3,590.98	38,880.00	9.24%
3461 GRAMA requests	20.00	5.00	5.00	0.00	0.00%
3615 Late charges	317.93	246.91	246.91	2,000.00	12.35%
Total Charges for services	24,094.36	14,074.89	14,074.89	134,630.00	10.45%
Fines and forfeitures					
3510 Fines	86.25	303.14	303.14	4,800.00	6.32%
Total Fines and forfeitures	86.25	303.14	303.14	4,800.00	6.32%
Interest					
3610 Interest earnings	766.70	229.43	229.43	4,800.00	4.78%
Total Interest	766.70	229.43	229.43	4,800.00	4.78%
Miscellaneous revenue					
3640 Sale of capital assets	0.00	0.00	0.00	2,000.00	0.00%
3690 Sundry revenue	120.00	0.00	0.00	0.00	0.00%
3692 Fire department fundraisers	200.00	0.00	0.00	800.00	0.00%
3697 Park department fundraisers	5,000.00	0.00	0.00	800.00	0.00%
3801.1 Impact fees - Fire	59.00	0.00	0.00	472.00	0.00%
3801.3 Impact fees - roadways	514.00	0.00	0.00	4,112.00	0.00%
3801.6 Impact fees - storm water	79.12	0.00	0.00	1,376.00	0.00%
3801.7 Impact fees - parks, trails, OS	141.00	0.00	0.00	1,128.00	0.00%
Total Miscellaneous revenue	6,113.12	0.00	0.00	10,688.00	0.00%
Contributions and transfers					
3890 Fund balance appropriation	0.00	0.00	0.00	15,000.00	0.00%
Total Contributions and transfers	0.00	0.00	0.00	15,000.00	0.00%
Total Revenue:	34,415.86	33,107.95	33,107.95	579,071.00	5.72%
Expenditures:					
General government					
Council					
4111.110 Council Salaries and wages	600.00	0.00	0.00	17,200.00	0.00%
4111.130 Council Employee benefits	45.92	0.00	0.00	1,316.00	0.00%
4111.210 Council Travel Reimbursement	135.68	129.92	129.92	2,040.00	6.37%
4111.220 Council Training	0.00	0.00	0.00	1,850.00	0.00%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2020 to 07/31/2020
8.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4111.610 Council Donations and discretionary spending	0.00	0.00	0.00	500.00	0.00%
Total Council	781.60	129.92	129.92	22,906.00	0.57%
Administrative					
4141.110 Admin Salaries and wages	8,330.51	6,198.98	6,198.98	85,000.00	7.29%
4141.130 Admin Employee benefits	687.43	1,004.02	1,004.02	13,403.00	7.49%
4141.140 Admin Employee Retirement - GASB 68	762.41	354.44	354.44	4,616.00	7.68%
4141.210 Admin Dues, subs & memberships	100.00	200.00	200.00	700.00	28.57%
4141.220 Admin Public notices	0.00	23.00	23.00	800.00	2.88%
4141.230 Admin Clerk training	0.00	0.00	0.00	900.00	0.00%
4141.240 Admin Office supplies	401.96	242.21	242.21	3,550.00	6.82%
4141.250 Admin Equipment maintenance	401.12	431.76	431.76	5,048.00	8.55%
4141.260 Admin Building & ground maintenance	0.00	0.00	0.00	1,000.00	0.00%
4141.270 Admin Utilities	242.89	176.84	176.84	4,430.00	3.99%
4141.280 Admin Telephone and Internet	1,257.47	659.81	659.81	10,646.00	6.20%
4141.290 Admin Postage	0.00	7.20	7.20	2,970.00	0.24%
4141.320 Admin Engineering/Professional Fees	0.00	8,000.00	8,000.00	55,000.00	14.55%
4141.330 Admin Legal Wages and Contract Labor	300.00	2,842.42	2,842.42	55,000.00	5.17%
4141.340 Admin Accounting	250.00	0.00	0.00	4,000.00	0.00%
4141.350 Building Inspector Fees	2,144.82	0.00	0.00	13,151.00	0.00%
4141.390 Admin Bank service charges	310.72	437.10	437.10	3,600.00	12.14%
4141.410 Admin Insurance	0.00	0.00	0.00	10,000.00	0.00%
4141.490 Admin Travel reimbursements	0.00	0.00	0.00	500.00	0.00%
4141.500 Admin Weed abatement	0.00	1,063.00	1,063.00	0.00	0.00%
Total Administrative	15,189.33	21,640.78	21,640.78	274,314.00	7.89%
Total General government	15,970.93	21,770.70	21,770.70	297,220.00	7.32%
Public safety					
Police					
4210.110 Police Salaries & wages	0.00	0.00	0.00	15,000.00	0.00%
4210.250 Police Expenditures	0.00	1.00	1.00	0.00	0.00%
4253.250 Animal Control Supplies	0.00	0.00	0.00	100.00	0.00%
Total Police	0.00	1.00	1.00	15,100.00	0.01%
Fire					
4220.110 Fire Salaries & wages	1,569.24	2,817.24	2,817.24	20,400.00	13.81%
4220.130 Fire Employee Benefits	120.06	215.52	215.52	1,621.00	13.30%
4220.230 Fire Travel & mileage	0.00	0.00	0.00	300.00	0.00%
4220.240 Fire Office expenses	0.00	75.87	75.87	0.00	0.00%
4220.250 Fire Equipment maintenance & repairs	38.04	0.00	0.00	300.00	0.00%
4220.260 Fire Rent expense	0.00	0.00	0.00	750.00	0.00%
4220.360 Fire Training	0.00	0.00	0.00	800.00	0.00%
4220.450 Fire Small Equip/Supplies	12.46	44.52	44.52	1,200.00	3.71%
4220.460 Fire Supplies-Fundraisers	0.00	0.00	0.00	200.00	0.00%
4220.465 Fire Gear	0.00	0.00	0.00	2,500.00	0.00%
4220.560 Fire Equipment Fuel	0.00	275.40	275.40	1,800.00	15.30%
4220.610 Fire Interest	0.00	173.70	173.70	2,362.00	7.35%
4220.620 Fire Principal	0.00	948.45	948.45	11,103.00	8.54%
4220.740 Fire Capital outlay	0.00	0.00	0.00	5,000.00	0.00%
Total Fire	1,739.80	4,550.70	4,550.70	48,336.00	9.41%
Total Public safety	1,739.80	4,551.70	4,551.70	63,436.00	7.18%
Highways and public improvements					
Highways					
4410.110 Road Wages and Contract Labor	0.00	0.00	0.00	3,500.00	0.00%
4410.130 Road Employee benefits	0.00	0.00	0.00	268.00	0.00%
4410.450 Road Department Supplies	157.07	0.00	0.00	1,000.00	0.00%
4410.550 Road Equipment Maintenance	0.00	0.00	0.00	10,000.00	0.00%
4410.560 Road Equipment Fuel	0.00	0.00	0.00	5,400.00	0.00%
4410.740 Road Capital outlay	20,185.00	0.00	0.00	51,000.00	0.00%
4410.810 Road Principal	0.00	770.11	770.11	41,113.00	1.87%
4410.820 Road Interest	0.00	110.26	110.26	32,076.00	0.34%
4415.110 Public Works Wages and Contract Labor	110.00	0.00	0.00	2,500.00	0.00%
4415.130 Public Works Employee benefits	8.41	0.00	0.00	191.00	0.00%
4415.450 Public Works Supplies	1,348.66	95.81	95.81	300.00	31.94%
4415.550 Public Works Equipment Maintenance	65.18	0.00	0.00	500.00	0.00%
4415.560 Public Works Equipment fuel	0.00	0.00	0.00	500.00	0.00%
4415.570 Public Works Travel Reimbursement	0.00	0.00	0.00	200.00	0.00%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2020 to 07/31/2020
8.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4415.710 Public Works Interest	0.00	0.00	0.00	1,680.00	0.00%
4415.720 Public Works Principle	0.00	0.00	0.00	14,381.00	0.00%
Total Highways	21,874.32	976.18	976.18	164,609.00	0.59%
Sanitation					
4420.460 Solid Waste Service	3,611.60	3,783.75	3,783.75	44,445.00	8.51%
Total Sanitation	3,611.60	3,783.75	3,783.75	44,445.00	8.51%
Total Highways and public improvements	25,485.92	4,759.93	4,759.93	209,054.00	2.28%
Parks, recreation, and public property					
Parks					
4540.110 Park/Rec Wages and Contract Labor	580.00	725.00	725.00	4,560.00	15.90%
4540.250 Park/Rec Department supplies	0.00	0.00	0.00	500.00	0.00%
4540.740 Parks Capital outlay	310.60	2,702.33	2,702.33	4,000.00	67.56%
Total Parks	890.60	3,427.33	3,427.33	9,060.00	37.83%
Total Parks, recreation, and public property	890.60	3,427.33	3,427.33	9,060.00	37.83%
Debt service					
4141.810 Debt service - principal	1,638.57	0.00	0.00	0.00	0.00%
4141.820 Debt service - interest	363.96	0.00	0.00	0.00	0.00%
Total Debt service	2,002.53	0.00	0.00	0.00	0.00%
Transfers					
4811 Transfer to Fund Balance	0.00	0.00	0.00	301.00	0.00%
Total Transfers	0.00	0.00	0.00	301.00	0.00%
Total Expenditures:	46,089.78	34,509.66	34,509.66	579,071.00	5.96%
Total Change In Net Position	(11,673.92)	(1,401.71)	(1,401.71)	0.00	0.00%

Town of Apple Valley

RESOLUTION NO. 2020-09
APPOINTMENT OF TOWN COUNCIL MEMBER

WHEREAS, the Town of Apple Valley is a Utah municipal corporation; and

WHEREAS, a vacancy has occurred in the office of Town Council Member; and

WHEREAS, after compliance with the requirements of UCA §§ 10-3-302 and 20A-1-510, the Town Council has determined that _____ is a qualified person to be appointed as a member of the Town Council.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Council of the Town of Apple Valley that _____ is hereby appointed as a member of the Town Council for a 16 month term ending January 3, 2022.

PASSED this 16th day of September, 2020.

TOWN OF APPLE VALLEY

ATTEST:

Mayor Marty Lisonbee

ATTEST:

Clerk Michelle Kinney

Mayor Marty Lisonbee voted _____
Council Member Michael McLaughlin voted _____
Council Member Debbie Kopp voted _____
Council Member Paul Edwardsen voted _____

Town of Apple Valley

**RESOLUTION NO. 2020-10
APPOINTMENT OF MAYOR PRO TEM**

WHEREAS, the Town of Apple Valley is a Utah municipal corporation; and

WHEREAS, THE Town Council has the authority, pursuant to UCA § 10-3b-402 to appoint a Mayor Pro Tempore; and

WHEREAS, the Town Council has determined that _____ is a qualified person to be appointed as Mayor Pro Tem; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 16th day of September, 2020, and upon motion duly made and seconded:

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Council of the Town of Apple Valley that _____ is hereby appointed as Mayor Pro Tempore for a 16 month term ending January 3, 2022.

PASSED this 16th day of September, 2020.

TOWN OF APPLE VALLEY

ATTEST:

Mayor Marty Lisonbee

ATTEST:

Clerk Michelle Kinney

Mayor Marty Lisonbee voted _____
Council Member Michael McLaughlin voted _____
Council Member Debbie Kopp voted _____
Council Member Paul Edwardsen voted _____



Town of Apple Valley
 1777 N. Meadowlark Drive, Apple Valley, Utah 84737
 Phone: (435) 877-1190 Fax: (435) 877-1192
 www.applevalleyut.gov

APPLICATION TO APPEAR BEFORE THE PLANNING COMMISSION

Date of Planning Commission meeting for this agenda item to appear August 5, 2020

Paperwork returned by Susanne Spendlove (Date) 7/15/20

Name of Applicant: Jeff & Susanne Spendlove

Site Location: AV-1376-A & AV-1376-m

Mailing Address: 1937 FM 1354
Karnes City TX 78118

Phone: 830-660-4614

Purpose of Request: Zone change to Agg

[Signature]
 Applicant Signature

- 1. Annexations: \$1500.00 filing fee
- 2. Conditional Use Permit: \$300.00 filing fee
- 3. Zone Changes: \$500.00 + Acreage Fee filing fee
- 4. Subdivisions: \$1500.00 filing fee
- 5. Lot Line Adjustment: \$200.00 filing fee
- 6. Lot Split (2 Lots): \$250.00 filing fee
- 7. General Plan Amendment: \$500.00 + Acreage Fee filing fee

*Paid Ck # 3080
 Rept 30118*

Note: Final approval of this application is subject to all necessary paperwork being submitted. Applications requiring a public hearing may have other requirements which must be completed prior to placement on an agenda. When those applications have been approved for the agenda, they must be submitted no later than 4:00 p.m. the Wednesday three weeks prior to the expected commission meeting. All other applications must be submitted no later than 5:00 p.m. on Thursday, one week prior to the regularly scheduled Commission meeting. All plats, drawings, or other visual material must be submitted in a format viewable by public attending the meeting, as well as an email in PDF format for reproduction to meet notice requirements.

_____/_____
 Planning Commission Chairman Date

_____/_____
 City Administration Date

**AFFIDAVIT
PROPERTY OWNER**

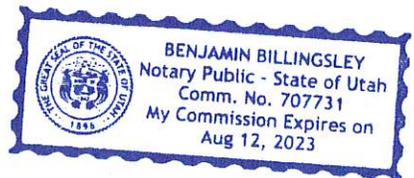
STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

I (We) Jeff & Susanne Spendlove, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Jeff Spendlove
Property Owner

Susanne Spendlove
Property Owner

Subscribed and sworn to me this 15th day of July, 2020



Ben Billingsley
Notary Public

Residing in: Washington County

My Commission Expires: 8/12/23

AGENT AUTHORIZATION

I (We), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____

**TOWN OF APPLE VALLEY
ORDINANCE O-2020-18**

**AN ORDINANCE CHANGING THE GENERAL PLAN MAP DESIGNATION FOR PARCELS
AV-1376-A and AV-1376-M**

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification for parcels AV-1376-A and AV-1376-M; and,

WHEREAS, these parcels need the general plan amended in order to change the zone; and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on the 9th, day of September, 2020 with recommendation that the General Plan Map be modified to allow for the Agricultural area; and,

WHEREAS, the Planning Commission has recommended that these parcels be changed on the general plan to Agricultural; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation and has received and reviewed pertinent information; and,

WHEREAS, in making this review the Town Council finds that the Planning Commission’s recommendation to amend the General Plan is rationally based; and,

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 16th day of September, 2020, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The General Plan Legend be amended to indicate areas in which Agricultural will be allowable.

SECTION II: The General Plan be amended to show that the area including parcels AV-1376-A and AV-1376-M, be identified on the map as Agricultural and Update of Official General Plan Map.

Effective Date: This amendment shall be effective upon passage, without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 16th day of September, 2020.

Marty Lisonbee, Mayor

ATTEST:

Ben Billingsley, Deputy Clerk

Mayor Marty Lisonbee	Aye ___	Nay ___
Debbie Kopp	Aye ___	Nay ___
Michael McLaughlin	Aye ___	Nay ___
Paul Edwardsen	Aye ___	Nay ___
_____	Aye ___	Nay ___



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

Fee: \$500.00 + Acreage Fee
1 – 100 Acres: \$50.00/Acre
101 – 500 Acres: \$25.00/Acre
501 + Acres: \$10/Acre

Zone Change Application

Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting			
Name: Jeff and Susanne Lee Spendlove		Phone: 8306605152 8306604614	
Address: 1937 FM 1354		Email: Annie@spendloveranch.com	
City: Karnes City		State: TX	Zip: 78118
Agent: (If Applicable)		Phone:	
Address/Location of Property:		Parcel ID: AV-1376-M AV-1376-A	
Existing Zone: OST/OSC		Proposed Zone: AG / RE-1	
Reason for the request Homestead approximately 32 acres Agriculture, one acre on the southwest corner of AV-1376-M to be zoned RE-1; 330 feet from southwest corner headed east then 132 feet headed north, then 330 feet headed west then headed 132 feet south to connect to original point			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of every person or company the applicant represents
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

Official Use Only	
Date Received: 7/21/20	By: <i>Ben Bell</i>
Date Application Deemed Complete: 7/21/20	By: <i>Ben Bell</i>

Account 0155609

<u>Location</u>	<u>Owner</u>	<u>Value</u>	
Account Number 0155609	Name SPENDLOVE JEFF & SUSANNE LEE	Market (2020)	\$55,000
Parcel Number AV-1376-A	1937 FM 1354	Taxable	\$206
Tax District 45 - Apple Valley Town	KARNES CITY, TX 78118	Tax Area: 45	Tax Rate:
Acres 13.75			0.009505
Situs 0, 0		Type	Actual Assessed Acres
Legal S: 22 T: 43S R: 11W ALL OF E1/2 OF NW OF NE 1/4 OF SEC 22, T43S, R11 W		Farm	
		Land	\$55,000 \$206 13.750
		FAA	

LESS THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF THE EAST ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (S1/2S1/2E1/2NW1/4NE1/4) WEST OF SLM.

LESS THE SOUTH QUARTER OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF THE EAST ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (S1/4N1/2S1/2E1/2NW1/4NE1/4) WEST OF SLM.

Parent Accounts

Parent Parcels

Child Accounts 0345283

- 0363666
- 0359789
- 0374556
- 0407323
- 0433105
- 0507841
- 0582554
- 0829460
- 0869644

Child Parcels 1376-B

- 1376-D
- 1376-C
- 1376-E
- 1376-G
- 1376-H
- 1376-I
- 1376-J-SE
- AV-1376-M
- AV-1376-A-1

Sibling Accounts

Sibling Parcels

Transfers

<u>Entry Number</u>	<u>Recording Date</u>	
<u>00275697</u>	<u>05/07/1985 03:34:00 AM</u>	<u>B: 376 P: 214</u>
<u>00281733</u>	<u>09/17/1985 03:53:00 AM</u>	<u>B: 388 P: 372</u>
<u>00292025</u>	<u>04/08/1986 09:29:00 AM</u>	<u>B: 408 P: 294</u>
<u>00294177</u>	<u>05/12/1986 04:19:00 AM</u>	<u>B: 412 P: 205</u>
<u>00306500</u>	<u>12/12/1986 04:51:00 AM</u>	<u>B: 435 P: 114</u>
<u>00336326</u>	<u>08/11/1988 03:14:00 AM</u>	<u>B: 495 P: 60</u>
<u>00353260</u>	<u>08/28/1989 10:10:00 AM</u>	<u>B: 533 P: 201</u>
<u>20070003059</u>	<u>01/19/2007 10:18:35 AM</u>	

Account 0829460

<u>Location</u>	<u>Owner</u>	<u>Value</u>	
Account Number 0829460	Name SPENDLOVE JEFF & SUSANNE LEE	Market (2020)	\$85,000
Parcel Number AV-1376-M	1937 FM 1354	Taxable	\$360
Tax District 45 - Apple Valley Town	KARNES CITY, TX 78118	Tax Area: 45 Tax Rate: 0.009505	
Acres 20.00		Type	Actual Assessed Acres
Situs 0, 0		Farm	
Legal S: 22 T: 43S R: 11W ALL OF W1/2 OF NW OF NE 1/4 OF SEC 22 T43S R11W.		Land	\$85,000 \$360 20.000
Parent Accounts 0155609		FAA	
Parent Parcels AV-1376-A			
Child Accounts			
Child Parcels			
Sibling Accounts			
Sibling Parcels			

Transfers

<u>Entry Number</u>	<u>Recording Date</u>
<u>20070003059</u>	<u>01/19/2007 10:18:35 AM</u>
<u>20080034671</u>	<u>09/02/2008 04:28:18 PM</u>
<u>20080048170</u>	<u>12/22/2008 03:01:13 PM</u>
<u>20100043178</u>	<u>12/23/2010 10:51:04 AM</u>
<u>20110031703</u>	<u>10/18/2011 02:16:28 PM</u>
<u>20110031704</u>	<u>10/18/2011 02:16:28 PM</u>
<u>20190000956</u>	<u>01/09/2019 11:15:43 AM</u>
<u>20200036843</u>	<u>07/16/2020 03:30:06 PM</u>

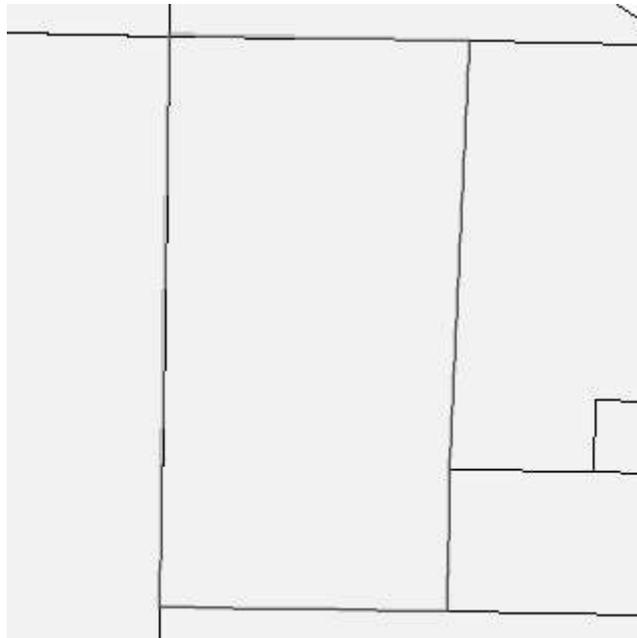
"Tax"

<u>Tax Year</u>	<u>Taxes</u>
*2020	\$3.42
2019	\$3.53

* Estimated

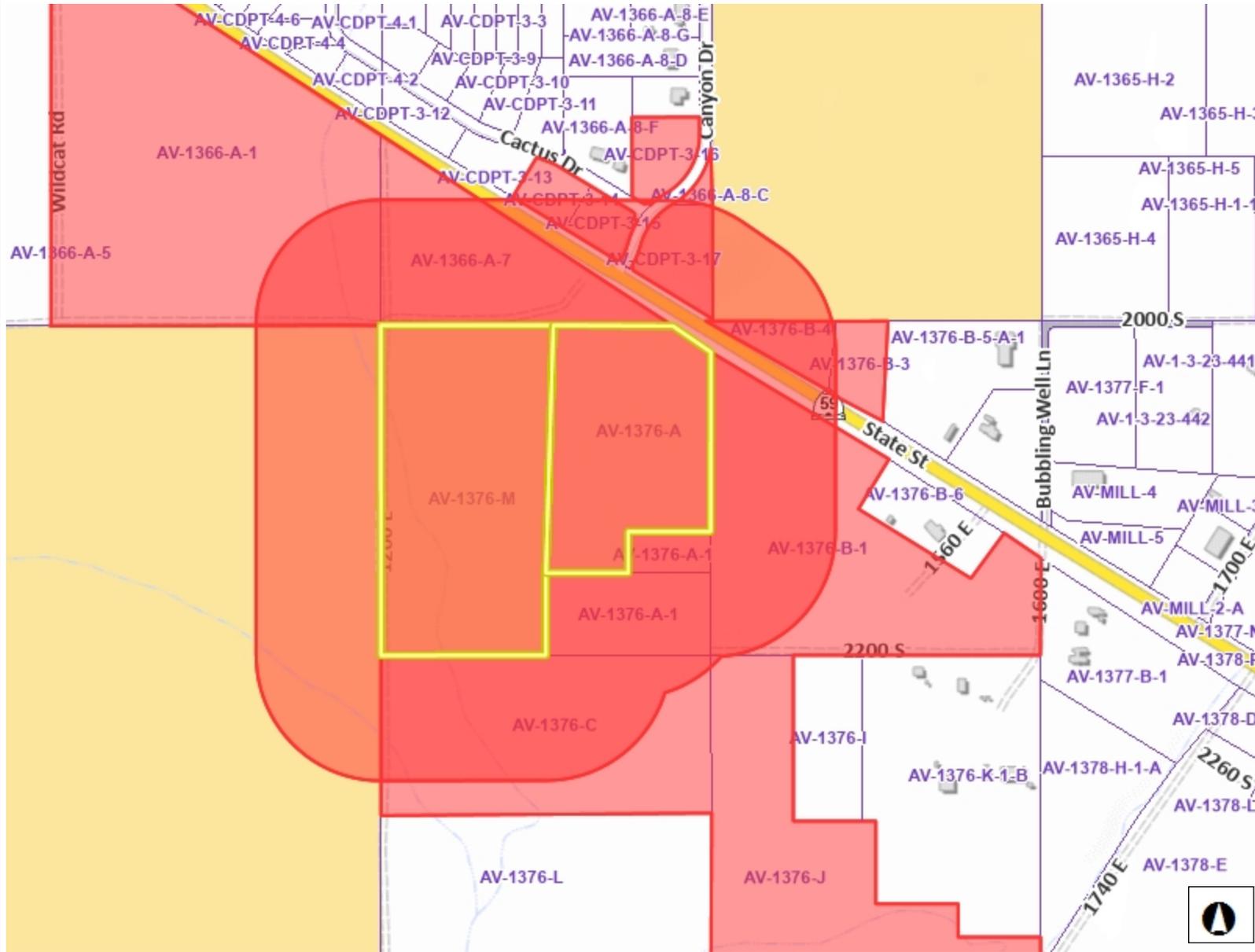
Images

- [GIS](#)





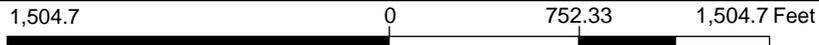
Spendlove 500' Radius



Legend

- Parcels
- Ownership**
 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wild
 - National Park Service
 - Shivwits Reservation
 - Utah Division of Wildlife Resources
 - Utah Division of Transportation
 - State Park
 - State of Utah
 - Washington County
 - Municipally Owned
 - School District
 - Privately Owned
 - Water
 - Water Conservancy District
 - State Assessed Oil and Gas
 - Mining Claim

Notes



WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

**TOWN OF APPLE VALLEY
ORDINANCE O-2020-19**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1376-A and AV-1376-M FROM OPEN SPACE OST/OSC to AGRICULTURAL AND RURAL ESTATES 1 ACRE

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification for one acre of the southwest corner of AV-1376-M, 330 feet from southwest corner headed east then 132 feet headed north, then 330 feet headed west, then 132 feet headed south to connect to original point from OST/OSC to RE-1; and,

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification for the remainder of AV-1376-M and the entirety of AV-1376-A from OST/OSC to Agricultural; and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on the 9th day of September, 2020. In a meeting on the same day the Planning Commission recommended approval of the zone change request by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation and has received and reviewed pertinent information; and,

WHEREAS, in making these reviews the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 16th day of September, 2020, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The zoning classification of the previously named portion of Parcel AV-1376-M is changed from OST/OSC to RE-1.

SECTION II: The remainder of Parcel AV-1376-M and the entire AV-1376-A is changed from OST/OSC to Agricultural.

SECTION III: Update of Official Zoning Map. The Official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 16th day of September, 2020.

Marty Lisonbee, Mayor

ATTEST:

Michelle Kinney, Recorder

Mayor Marty Lisonbee
Debbie Kopp
Michael McLaughlin
Paul Edwardsen

Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

Fee: \$500.00 + Acreage Fee	
1 – 100 Acres:	\$50.00/Acre
101 – 500 Acres:	\$25.00/Acre
501 + Acres:	\$10/Acre

Zone Change Application

Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting			
Name: Bang Properties - Kerry Bang		Phone: 435-619-5379	
Address: 1284 W 1130 N #1		Email: bangfabrication@gmail.com	
City: St George	State: UT	Zip: 84770	
Agent: (If Applicable)		Phone:	
Address/Location of Property: Apple Valley Main		Parcel ID: AV-1354-B	
Existing Zone: OST		Proposed Zone: C-2, CTP	
Reason for the request Zone change for Tiny Home project and Commercial			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of every person or company the applicant represents
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

Official Use Only	
Date Received:	By:
Date Application Deemed Complete:	By:

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

I (We) KERRY BANG, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Kerry Bang
Property Owner
Brenda Bang
Property Owner

Subscribed and sworn to me this 24 day of AUG, 2020.



Mary J Quinn
Notary Public

Residing in: 1930 W Seest Blvd St George

My Commission Expires: May 25, 2022

AGENT AUTHORIZATION

I (We), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property Owner

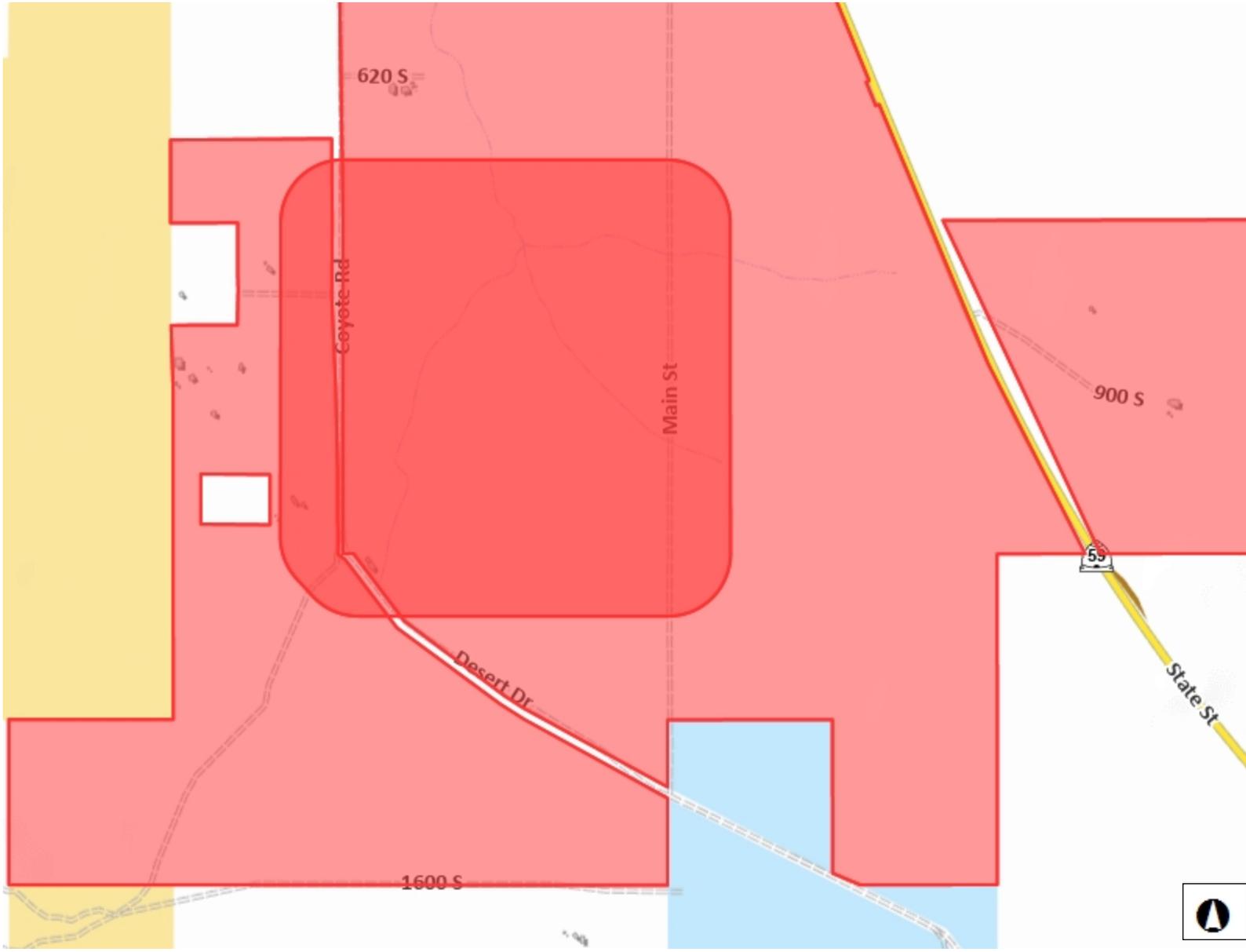
Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public
Residing in: _____
My Commission Expires: _____



Bang 500' Radius



Legend

- County Boundary Outline
- CountyMask
- Building Outlines
- Roads**
 - Interstate
 - State Route
 - Major
 - Minor
 - Dirt
- Waterbodies
- Watercourses**
 - <all other values>
 - Santa Clara River
 - Virgin River
- Hillshade**
 - High : 238
 - Low : 4
- Ownership**
 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wildlife
 - National Park Service
 - Shivwits Reservation
 - Utah Division of Wildlife Resources



Notes

3,009.3 0 1,504.66 3,009.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

**TOWN OF APPLE VALLEY
ORDINANCE O-2020-19**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1354-B FROM OPEN SPACE OST/OSC to COMMERCIAL C-2 AND CABINS TINY HOME PARK CTP

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification for of AV-1354-B from OST/OSC to Commercial C-2 and Tiny Home Park CTP as described in Exhibit A; and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on the 9th day of September, 2020. In a meeting on the same day the Planning Commission recommended approval of the zone change request by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation and has received and reviewed pertinent information; and,

WHEREAS, in making these reviews the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 16th day of September, 2020, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The zoning classification of the previously named portion of Parcel AV-1354-B changed from OST/OSC to C-2 and CTP as described in Exhibit A.

SECTION II: Update of Official Zoning Map. The Official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 16th day of September, 2020.

Marty Lisonbee, Mayor

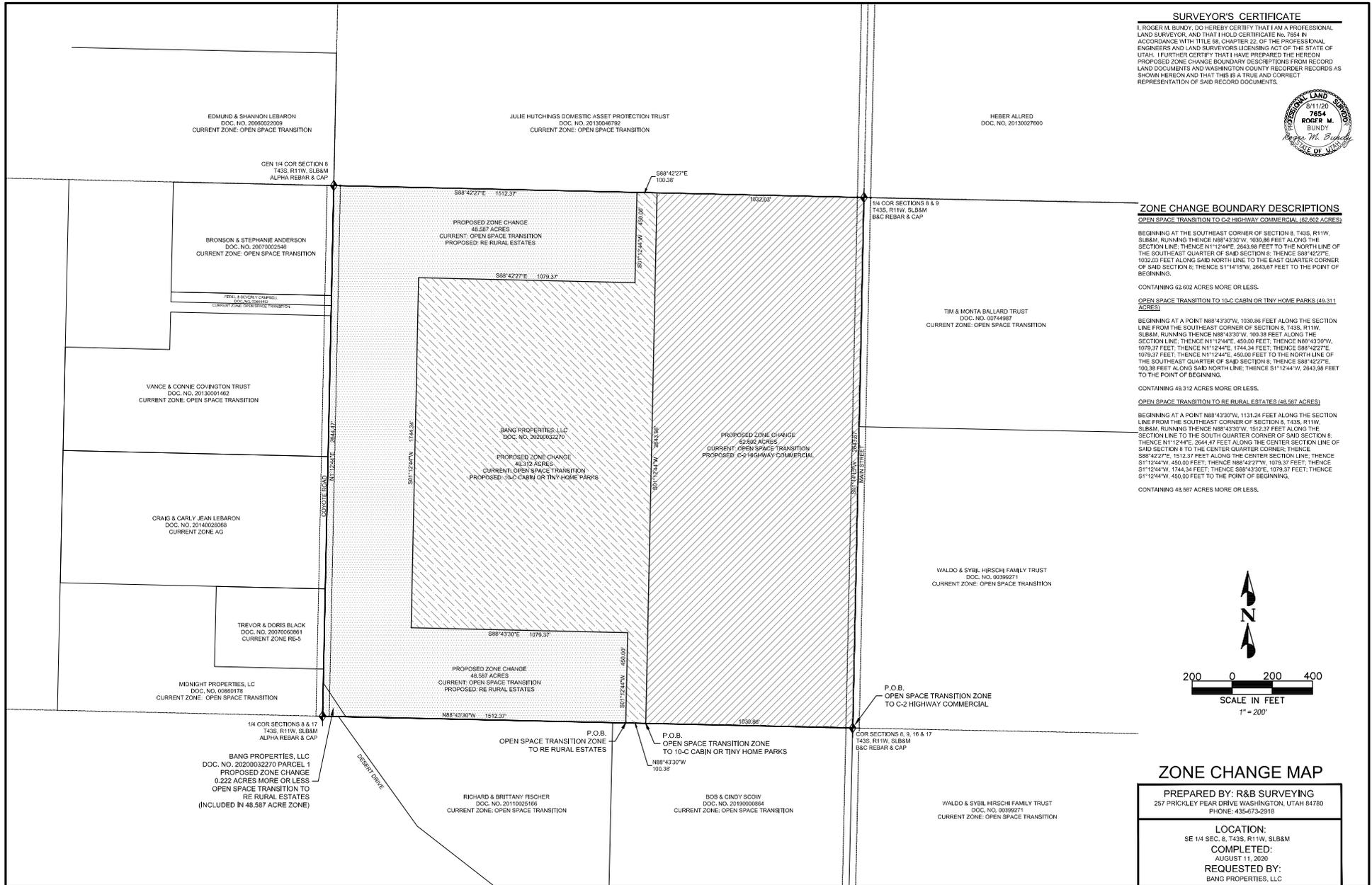
ATTEST:

Michelle Kinney, Recorder

Mayor Marty Lisonbee
Debbie Kopp
Michael McLaughlin
Paul Edwardsen

Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___

Exhibit A

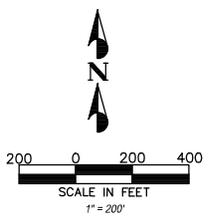


SURVEYOR'S CERTIFICATE
 I, ROGER M. SUNDY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE No. 7654 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT I HAVE PREPARED THE HEREON PROPOSED ZONE CHANGE BOUNDARY DESCRIPTIONS FROM RECORDED LAND DOCUMENTS AND WASHINGTON COUNTY RECORDER RECORDS AS SHOWN HEREON AND THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF SAID RECORD DOCUMENTS.



ZONE CHANGE BOUNDARY DESCRIPTIONS

OPEN SPACE TRANSITION TO C-2 HIGHWAY COMMERCIAL (62.602 ACRES)
 BEGINNING AT THE SOUTHWEST CORNER OF SECTION 8, T4S, R11W, SLB&M; RUNNING THENCE N88°42'27"E, 2643.68 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE S88°42'27"E, 1052.00 FEET ALONG SAID NORTH LINE TO THE EAST QUARTER CORNER OF SAID SECTION 8; THENCE S1°14'15"W, 2643.67 FEET TO THE POINT OF BEGINNING.
 CONTAINING 62.602 ACRES MORE OR LESS.
OPEN SPACE TRANSITION TO 10-C CABIN OR TINY HOME PARKS (48.311 ACRES)
 BEGINNING AT A POINT N88°43'30"W, 1038.68 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 8, T4S, R11W, SLB&M; RUNNING THENCE N88°43'30"W, 100.38 FEET ALONG THE SECTION LINE; THENCE N1°12'44"E, 450.00 FEET; THENCE N88°43'30"W, 1079.37 FEET; THENCE N1°12'44"E, 1744.34 FEET; THENCE S88°42'27"E, 1079.37 FEET; THENCE N1°12'44"E, 450.00 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE S88°42'27"E, 100.38 FEET ALONG SAID NORTH LINE; THENCE S1°12'44"W, 2643.68 FEET TO THE POINT OF BEGINNING.
 CONTAINING 48.312 ACRES MORE OR LESS.
OPEN SPACE TRANSITION TO RE RURAL ESTATES (46.567 ACRES)
 BEGINNING AT A POINT N88°43'30"W, 1131.24 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 8, T4S, R11W, SLB&M; RUNNING THENCE N88°43'30"W, 1512.37 FEET ALONG THE SECTION LINE TO THE SOUTH QUARTER CORNER OF SAID SECTION 8; THENCE N1°12'44"E, 2644.47 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 8 TO THE CENTER QUARTER CORNER; THENCE S88°42'27"E, 1512.37 FEET ALONG THE CENTER SECTION LINE; THENCE S1°12'44"W, 450.00 FEET; THENCE N88°42'27"W, 1079.37 FEET; THENCE S1°12'44"W, 1744.34 FEET; THENCE S88°43'30"E, 1079.37 FEET; THENCE S1°12'44"W, 450.00 FEET TO THE POINT OF BEGINNING.
 CONTAINING 46.567 ACRES MORE OR LESS.



ZONE CHANGE MAP
 PREPARED BY: R&B SURVEYING
 257 PRICKLEY PEAR DRIVE WASHINGTON, UTAH 84780
 PHONE: 435-673-2918
 LOCATION:
 SE 1/4 SEC. 8, T4S, R11W, SLB&M
 COMPLETED:
 AUGUST 11, 2020
 REQUESTED BY:
 BANG PROPERTIES, LLC

TOWN OF APPLE VALLEY

RESOLUTION R-2020-11

A RESOLUTION AMENDING THE TOWN FEE SCHEDULE

WHEREAS, the Town of Apple Valley ("Town") has adopted a fee schedule related to various fees imposed by the Town; and,

WHEREAS, the Town Council of the Town of Apple Valley deems it necessary and appropriate that the fee schedule be amended; and,

WHEREAS, at a meeting of the Town Council of the Town of Apple Valley, Utah, duly called, noticed, and held on the 16th day of September, 2020, a motion to amend the fee schedule was proposed, seconded, and accepted by majority vote.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apple Valley that the Town Fee Schedule is hereby amended to reflect the changes and additions contained in the fee schedule which is attached hereto.

PASSED this 16th day of September, 2020. This resolution shall be in full force and effect from the date of passage and after the required publication.

TOWN OF APPLE VALLEY

Marty Lisonbee, Mayor

ATTEST:

Michelle Kinney, Town Recorder

Council Member Debbie Kopp voted	_____
Council Member Michael McLaughlin voted	_____
Council Member Paul Edwardsen voted	_____
Council Member _____ voted	_____
Mayor Marty Lisonbee voted	_____



FEE SCHEDULE

(Adopted on ~~9/16/2020~~ 9/16/2020/5/2019)

Administrative Fees

Government Records Access Management Act (GRAMA) Request: To be determined on an individual basis per UCA 63-2-203

Photocopies: 8 1/2 x 11 single or double sided on town paper	\$0.25
11 x 17 single or double sided on town paper	\$0.50
Land Use (Zoning Ordinance)	\$22.00
Subdivision Ordinance	\$9.00
General Plan	\$8.00
Standards and Specifications	\$25.00
Maps 24" x 36"	\$40.00
Maps 11" x 17"	\$5.00
Copies on CDs	\$5.00
Returned check fee: (Utah Code Title 7 Section 15)	\$20.00
Smithsonian Fire Department Facility:	
Training Room	\$50.00
One Bay (Fire Dept Approval)	\$75.00
Two Bays (Fire Dept Approval)	\$150.00
Refundable Deposit.	\$100.00

Park Reservation

Parks are a first come, first serve basis only

Pavilion Rental 1/2 Day	\$25
Full Day	\$50
Refundable Cleaning Deposit	\$150

Credit Card Processing Fees

Payments over \$200.00 made with a credit or debit card are subject to an additional 3% processing fee. There is no fee for payments made with cash or check.

Special fees or exceptions may be granted by the Town Council for local non-profit organizations or civic functions depending on scheduling conflicts, etc. Additional fees may be charged if there are special needs; i.e. AV equipment, change in room setup or large groups.

Business Licenses

<u>Alcohol License</u>	<u>Initial</u>	<u>Renewal</u>
Class A Retail License (Off Premises)	\$300.00	\$300.00
Class B Retail License (On Premises)	\$1000.00	\$500.00
Class C Retail License (Draft)	\$1250.00	\$750.00
Class D Special Events License	\$200.00	N/A
Class E Arena/Facility License	\$800.00	\$400.00
Class F Brewpub and Microbrewery License	\$300.00	\$150.00
Temporary License	\$200.00	N/A
Government Owned Facility License	\$400.00	\$200.00



Business License

Commercial:	\$150.00
Additional Use, Commercial:	\$20.00 each use
Home-Based:	\$0.00
Non-Impact	\$0.00
Impact	\$150.00
Local Licensed Non-Profit Organizations:	\$0.00
Single Event License:	\$100.00
Dog Kennel License: Non-Commercial:	\$50.00
Fire Inspection Fee	\$150.00
Code Inspection Fee	\$150.00
Business License Late fee:	\$25.00 per month or portion of month

Animal Control

Dog License: (1-year license Expires Dec 31)

Spayed/Neutered:	\$10.00
Functional:	\$20.00

Late fee of 25% after February 15.

Solid Waste

Monthly Fee	\$12.50
-------------	----------------

Storm Drainage

Residential	\$10/month
Commercial	\$35/month

Signs

Free Standing Sign	\$100.00
Monument	\$100.00
Temporary Sign	N/A
Wall Sign	N/A
Sign Review Board	\$100.00

Zoning

Annexation	\$1,500.00
Conditional Use Permit (CUP)	\$300.00
Easement Abandonment	\$300.00
Encroachment Permit	\$500.00 + \$10.00 per square foot, \$500.00 non-compliance
General Plan Amendment	\$1,500.00
Zone Change	\$500.00 + Acreage fee



Note: This is a sliding fee schedule charged in the following incremental tier schedule:

- First: 1-100 ac. = \$25 per ac.
- Then: 100-500 ac. = \$15 per ac.
- Then: 500 + = \$5 per ac.

(Note: acreage to be zoned open space; no charge if open space is over 10 acres)

(Note: <1 ac. No acreage charge)

(Note: Open space includes parks, golf courses, flood plains, hillsides and similar natural Areas, but not required recreation areas and setback areas.)

Home Occupation Permit	\$10 Reprint
Lot Line Adjustment	\$200.00 + \$150 Public Hearing Notice, \$50 Admin Costs
Lot Split	\$250.00 per new lot
Non-Compliant Lot Split	\$500.00 per new lot
Planning Staff Review (PSR)	\$150

Site Plan Review (*SPR) **\$150.00 + Actual Cost**

(* An SPR is used for commercial, industrial and institutional developments; exceptions are public schools and minor additions to an existing development)

Engineering/Legal/Admin Fees **Actual Cost**

Planned Developments and Development Agreement Fees

Initial Fee	\$7,500 + Engineering Cost of Services
Revisions/Amendments	\$2,500 + Engineering Cost of Services
Road Dedications	\$125

Subdivisions

Preliminary Plat	\$1,500.00
Final Plat (subdivision, town homes, roads, etc.)	\$200.00 + \$160/per lot

Amendments

Preliminary Plat	\$1,500.00
Final Plat	\$750.00 + \$10.00 per lot
Public Improvement Inspection Fee	2% of Public Works Improvement Construction Costs

Board of Appeals

Variance Application	\$550.00
Appeal Hearing	\$550.00

Building Permits

Pools/Solar/Other	\$375.00
Building Permit	Based on Valuation (see table below)
Habitat Conservation Plan Fee	.002 of Valuation



State Building Permit Surcharge	1% of Building Permit Fee
Plan Review	15% of Permit Fee
Special Inspection	\$125
Re-Inspection Fee	\$125
Building Permit Issued After-The-Fact	Double Permit Fee

TOTAL VALUATION

FEE

*Valuation = Square Feet x
Current ICC Building Valuation*

	\$23.50
\$1 to \$500	
\$501 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to 500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,000 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof

Refunds

Where applicant voluntarily withdraws the application, the following refunds will apply:

Application accepted, no further work done	90% of total filing fee
Notification of hearing	75% of total filing fee
Planning Staff Review (PSR) meeting or written comments from department received.	50% of total filing fee
Staff Report completed	25% of total filing fee
Public hearing held	No Refund
Staff error resulting in mandatory withdrawal	100% refund

**APPLE VALLEY
ORDINANCE O-2020-12**

AMENDMENTS TO CABIN OR TINY HOME PARK ZONE

WHEREAS, the Planning Commission of the Town of Apple Valley found it necessary to amend the Cabins or Tiny Home Parks Zone; and,

WHEREAS, the Planning Commission held a public hearing on the tenth day of June, 2020; and,

WHEREAS, the Planning Commission recommended to the Town Council that changes should be made to the Cabins or Tiny Home Parks Zone; and,

WHEREAS, the Town Council of the Town of Apple Valley adopted the changes in a public meeting duly noticed and held on the 15th day of July, 2020.

NOW THEREFORE, be it ordained by the Council of Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.10.110 Cabins Or Tiny Home Parks Zone” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.10.110 Cabins Or Tiny Home Parks Zone

- A. Purpose: The purpose of this zone is to provide for the development of Cabin or Tiny Home Parks (CTP). Cabin or Tiny Home Parks are not intended for the isolated lot, but shall be for use in areas where larger tracts of land are available for development, and can be developed to a high standard of quality with landscaping, recreation facilities, etc.

Cabins or Tiny Homes Parks, are designed and intended from the beginning to serve the transient or traveling public with small cabins or Tiny Homes, placed or built on a permanent foundation with the structure containing sleeping, bathing and kitchen facilities. The Minimum zone size shall be ~~ten (10)~~fifteen (15) Acres.

The primary location for a Cabin or Tiny Home Park is close to Highway 59 or other major-roadway-or may be located more remotely if utilities and proper road access is available or will be available. It ~~should~~shall not be located immediately next to a residential ~~neighborhood~~zone.

- B. Permitted Uses: Uses permitted in this zone are as follows:

1. Accessory buildings and uses
2. Household pets
3. Cabins or Tiny Homes as defined in AVLU 10.04 or subsection E below

4. Park, playground, swimming pool and tennis courts or alike
5. Other uses similar to the above and ~~judged~~ approved by the Planning Commission to be in harmony with the intent and character of this zone.

6. Clubhouse, sales or registration office, or on-site managers dwelling.

~~C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows: Add to Permitted Uses~~

- ~~1. Clubhouse, sales or registration office, or on-site managers dwelling.~~
- ~~2. Other uses approved by the planning commission as being in harmony with the intent of the zone and similar in nature to the above listed uses.~~

D. Height Regulations: No cabins/tiny home shall be erected to a height greater than eighteen (18').

No accessory building shall be erected to a height greater than fifteen (15') feet.

No club house/office may be erected to a height greater than twenty five (25') feet.

E. Cabins or Tiny Home Park Development Standards: Definitions:

A Cab-in is a small stick built or small manufactured home, built or placed on a permanent foundation and is less than 600 Sq Feet ~~under roof~~ of living space.

A Tiny Home is a stick built or small manufactured home, built or placed on a permanent foundation, and is less than 400 Sq. Feet ~~under roof~~ of living space.

Any Cabin or Tiny Home that has wheels or skids and not placed on a ~~permanant~~ permanent foundation shall be considered a Recreational Vehicle and may not be placed or used in this zone. But it shall be placed in a Recreational Vehicle Park zone.

1. Minimum Size: Each Cabin or Tiny Home Park shall have a minimum size of fifteen (15) ~~ten (10)~~ acres, ~~unless smaller is allowed by a development agreement (see AVLU 10C-6-J).~~
2. Roads:
 - a. Width: Each Cabin or Tiny Home Park shall have roads of at least twenty-four five feet (2425') in width and single one way driveway may be fourteen (14) 16 feet (14') in width.-

Construction Specifications: All Units shall be served by paved roads constructed to Town standards ~~and bounded by curb and gutter~~ and approved by the Town.

3. Park Access: Access to all Cabin or Tiny Home Parks shall be from a dedicated and approved public street at an approved point or points. No units shall have direct access from a public street nor may traffic enter or exit through a residential neighborhood.
4. Off Street Parking: Hard surface (Concrete or paved) parking spaces shall be provided for the minimum parking of two (2) vehicles for each unit.

5. Recreation Space: Recreation space shall be provided for each Cabin or Tiny Home Park having ten (10) or more units and shall be maintained for such use. A minimum usable area of five thousand (5,000) square feet shall be set aside and developed for each such park and an additional one hundred (100) square feet shall be provided for each unit above ten (10) units. This is in addition to the outdoor living space mentioned in AVLU 10C-6-G. This recreation space is not the open space behind or between units or streets. It is a separate facility common to all units in the development, such as a clubhouse.
6. Density: The maximum density for a Cabin or Tiny Home Park shall not exceed ten (10) units per gross acre.
7. ~~Unit size: Each unit shall be less than 400 sq ft under roof.~~
8. Distance of Units: No unit shall be closer than twenty feet (20'). No unit in a Cabin or Tiny Home Park shall be located closer than the distance required herein.
9. Minimum Yard Clearances for each unit:
 - a. Front or side yard on a public street, ~~twenty five~~ fifty feet (~~25~~50').
 - b. Side yard bordering adjacent property, ~~fifty ten~~ fifty feet (~~10~~50').
 - c. Rear yard bordering adjacent property, ~~ten~~ fifty feet (~~10~~50').

F. Other Requirements:

1. Perimeter Fence: A Cabin or Tiny Home park shall ~~be fenced at the~~ provide a minimum fifty-foot (50') setback/landscaped buffer along any property boundary including a public right-of-way. Decorative fencing is preferred, such as split rail or ranch style wood fencing, though six foot high privacy fencing or block wall may be more appropriate and required in some applications. The project's topography may be considered in perimeter fencing requirements. For example, a property with a cliff at it's rear or sides may not require any fencing for that area. A property with a wash along it's rear or side property line may require a solid fence installed to provide greater safety to guests. A lower profile fence may also be used to provide better views as long as this does not pose a safety hazard to guests. All structures of fencing proposed within washes or the 100-year flood plain are discouraged and must be designed to meet current and applicable town and state standards. ~~minimum fifty-foot (50') setback/landscaped buffer along any property boundary including a public street right-of-way. Decorative fencing is preferred, such as split rail or ranch style wood fencing, though six foot high privacy fencing or block wall may be more appropriate and required in some applications. The projects topography shall always be considered in perimeter fencing requirements. For example, a property with a cliff at it's rear or sides, may not require any fencing for that area. A project with a wash along it's rear or side property line may need a solid fence installed to provide greater safety to guests. A lower profile fence may also be used to provide better views as long as this does not pose a safety hazard to guest. All structures or fencing proposed within washes or the 100-year flood plain are discouraged and must be designed to meet current and applicable Town and State standards.~~

~~perimeter with a six foot (6') high block wall fence.~~

2. Building Code; Permit: Installation of infrastructure and any Cabin or Tiny Home Park structures shall be done in conformance with the requirements of the current edition of the building code and with approval of the building department, and the issuance of a building permit.
3. Utilities Required: Each unit shall be connected to water, sewer and electricity. All utility connections shall be located underground. Water and sewer plans shall be approved by the Big Plains Water and Sewer Special Service District and the Town's Public Works Department.
4. Street Construction: All streets in a Cabin and Tiny Home Park shall be paved according to the construction standards of the Town ~~and shall be bounded by curb and gutter.~~
5. All lighting shall comply with AVLU 10.26 Outdoor Lighting Ordinance.
6. Landscape Plan: A detailed landscape plan shall be submitted for each Cabin or Tiny Home Park, and shall be approved by the Planning Commission.
7. Outdoor Living Space: Each Cabin or Tiny Home Park unit shall be provided with a minimum of three hundred (300) square feet of "outdoor living" space located adjacent to each unit. Said outdoor living space shall be maintained in a clean and weed free manner and shall be kept free from garbage or debris of any kind.
8. No tents of any kind may be used in this zone.
9. All Cabin or Tiny Home Parks shall require a full time (24/7) on-site manager, who shall be responsible for ensuring compliance with the rules and regulations of the Town and safety of the property.

~~10. A~~

- G. Subdivision Requirements: If the Cabin or Tiny Home Park is not intended to be in a single ownership, rather is intended to be sold as individual lots, the subdivision shall then be subject to all applicable requirements of the Town's subdivision ordinance.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL JULY 15, 2020.

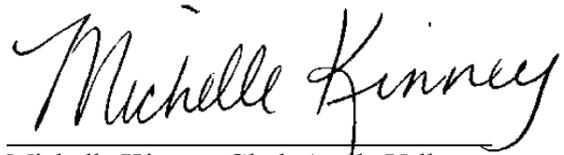
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember McLaughlin	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Kopp	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Lisonbee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Edwardsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer



Marty Lisonbee, Mayor, Apple Valley

Attest



Michelle Kinney, Clerk Apple Valley

**APPLE VALLEY
ORDINANCE O-2020-20**

EXEMPTION FROM PLAT REQUIREMENTS

WHEREAS, the Planning Commission of the Town of Apple Valley found it necessary to amend 11.02.040 Necessity of Plat; Exemption from Plat Requirements; and

WHEREAS, the Planning Commission held a public hearing on the 9th day of September, 2020; and

WHEREAS, the Planning Commission recommended to the Town Council that changes should be made to the Exemption from Plat Requirements; and

WHEREAS, in a public meeting duly noticed and held on the 16th day of September, 2020, the Town Council has reviewed the recommendations of the Planning Commission, and adopts the changes upon motion duly made and seconded.

NOW THEREFORE, be it ordained by the Council of Apple Valley, in the State of Utah, as follows:

SECTION 1:**AMENDMENT** “11.02.040 Necessity Of Plat; Exemption From Plat Requirements” of the Apple Valley Subdivisions is hereby *amended* as follows:

A M E N D M E N T

11.02.040 Necessity Of Plat; Exemption From Plat Requirements

All subdivisions shall be required to prepare and receive approval of a preliminary and final plat in accordance with the provisions of this chapter, except as follows:

- A. A subdivision creating no more than ~~three~~ ten (10) new lots may be approved by the Mayor or designee ~~Town staff~~ without the necessity of preparing and filing a preliminary plat or final plat if:
 - 1. Notice is provided by Town as required by this title.
 - 2. The proposed subdivision:
 - a. Is not traversed by the mapped lines of a proposed street as shown in the general plan ~~and does not require the dedication of any land for street or other public purposes.~~ unless the Town has approved the location, and dedication of any public street, Town utility easement, any other easement, or any other land for public purposes as the Town’s ordinance requires. Created lots shall be located on a public right-away or dedicated street.
 - b. Does not impact an existing easement or right of way or, if it does have

- an impact, evidence is shown that the impact will not impair the use of any such easement or right of way.
- c. Has been approved by the culinary water authority and sanitary sewer authority.
 - d. Is located in a zoned area, and conforms to all applicable land use code or has properly received a variance from the requirements of an otherwise conflicting and applicable land use code.
- B. A lot or a parcel resulting from a division of agricultural land or land located in an Open Space, Open Space Transitional zones is exempt from the plat requirements of this title if the lot or parcel:
1. Meets the minimum size requirement of applicable zoning; and
 2. Is located on a public right-away or dedicated street, and
 3. Is only used for purposes allowed in the Open Space, Open Space Transitional, and Agricultural zones.
- C. The creation of a lot under subsection A of this section shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed ~~and signed~~ by ~~members of the joint utility committee~~ the local utilities. (Rocky Mountain Power and Big Plains WSSSD). No building permit will be issued for said lot until the approved improvements are constructed and accepted.
- D. The boundaries of each lot or parcel exempted under subsection A or B of this section shall be graphically illustrated on a record of survey map ~~described or~~ by deed, and upon approval of Town staff, shall be recorded with the county recorder.
- E. Notice of the application for a lot split shall be published in the Town Council Agenda following the receipt of the application.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	_____	_____	_____	_____
Councilmember McLaughlin	_____	_____	_____	_____
Councilmember Kopp	_____	_____	_____	_____
Mayor Lisonbee	_____	_____	_____	_____
Councilmember Edwardsen	_____	_____	_____	_____

Presiding Officer

Attest

Marty Lisonbee, Mayor, Apple Valley

Michelle Kinney, Clerk Apple Valley